



LINDA S. ADAMS  
SECRETARY FOR ENVIRONMENTAL  
PROTECTION



ARNOLD SCHWARZENEGGER  
GOVERNOR

## CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

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November 3, 2006

Mike O'Grady  
Environmental Programs Coordinator  
City of Cerritos  
PO Box 3130  
Cerritos, CA 90703

RE: City of Cerritos' Biennial Review Status Update

Dear Mr. O'Grady:

Thank you for meeting with Ed Reidhead and myself on November 2, 2006 to discuss the City of Cerritos' (City) 2003/2004 Biennial Review. At our meeting we were able to visit the Paramount Resource Recovery Facility to observe how materials are currently processed. We also discussed some of the City's other programs and what additional efforts might be needed to improve the City's ability to achieve diversion requirements.

As we discussed, we feel that additional program development is warranted in the following areas:

- Residential and commercial diversion.
- Development and implementation of a targeted Construction and Demolition Policy. This policy should be in writing and witnessed and distributed to parties that become subject to the policy. The City will confirm compliance with the policy.

The City's 2004 preliminary diversion rate is 45 percent. The purpose of this letter is to formally notify the City that Board staff's review of the City's progress indicates the need for the Board to consider, at a public hearing, issuance of a Compliance Order for not implementing all reasonable and feasible diversion programs needed to achieve diversion requirements.

Please note that this letter serves not only to address our concerns with the City's program gaps, but to also initiate the 60-day conferring process for a Compliance Order.

If you have any questions about this letter or the compliance order process, please contact me at (562) 981-9095.

Respectfully,

A handwritten signature in black ink, appearing to read "Steve Uselton". The signature is written in a cursive, flowing style.

Steve Uselton, Supervisor  
Los Angeles Local Assistance Section



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January 12, 2007

The Honorable Mayor Paul W. Bowlen  
Cerritos City Hall  
P.O. Box 3130  
Cerritos, CA 90703

**RE: 30-Day Notice of Intent to Issue the City of Cerritos a Compliance Order for Failure to Adequately Implement its Source Reduction and Recycling Element and/or Household Hazardous Waste Element and Meet the Fifty Percent Diversion Requirement**

Dear Mayor Bowlen:

The purpose of this letter is to formally notify the City of Cerritos (City) that Board staff's review of the City's progress indicates the need for the Board to consider, at a public meeting, issuance of a Compliance Order for not implementing all reasonable and feasible diversion programs needed to achieve diversion requirements. Failure to meet Compliance Order requirements may result in civil penalties of up to \$10,000.00 per day.

California Integrated Waste Management Board (Board) staff has conducted a 2003/2004 Biennial Review of the City's Source Reduction and Recycling Element (SRRE) program implementation to-date and diversion rate achieved. Board staff is bringing forward its 2003/2004 Biennial Review findings that the City has failed to adequately implement its diversion programs. The City has implemented SRRE selected diversion programs but implemented programs are not providing sufficient reductions in disposal to enable the City to achieve the 50 percent diversion requirement of PRC Section 41780. The City's 2003 and 2004 diversion rates are 43 and 45 percent, respectively. Board staff therefore recommends the Board consider issuing the City a compliance order that will require the City to work directly with Board staff to develop a Local Assistance Plan (LAP) that will identify a strategy for program enhancements and local actions necessary to enable the City to achieve diversion requirements.



Board staff met with City representatives on November 2, 2006 to discuss the City's 2003/2004 Biennial Review. At our meeting we were able to visit the processing facility that handles a majority of waste collected by the City's franchise hauler and to observe how materials are currently processed. We also discussed some of the City's other programs and what additional efforts might be needed to improve the City's ability to achieve diversion requirements.

We believe additional program development is warranted in the following areas:

- Residential and commercial diversion.
- Development and implementation of a targeted Construction and Demolition (C&D) ordinance/policy.

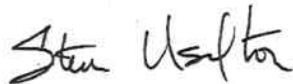
It is strongly recommended that you or your City's representative attend the Board's Permitting and Compliance Committee Meeting to present your jurisdiction's program implementation efforts, diversion rate achievement and any special circumstances you would like the Board to consider and answer any questions from the Board.

**CIWMB Permitting and Compliance Committee Meeting**

Date: February 5, 2007  
Time: 10:00 A.M.  
Location: Joe Serna Jr., CalEPA Building  
Coastal Hearing Room  
1001 I Street, 2nd Floor  
Sacramento, CA 95814

Should you have any questions about this letter, or the upcoming committee meeting, please contact Steve Uselton at the Board's Office of Local Assistance at (562) 981-9095.

Respectfully,



Steve Uselton,  
State and Local Assistance Branch

cc: Mike O'Grady